

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2141

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Title 33, chapter 4, article 2, Arizona Revised Statutes,  
3 is amended by adding section 33-425, to read:

4 33-425. Disclosure of water supply status; recording; exemption;  
5 definition

6 A. BEGINNING JANUARY 1, 2009, A SUBDIVIDER WHO SELLS ONE OR MORE LOTS  
7 LOCATED OUTSIDE OF AN ACTIVE MANAGEMENT AREA AS ESTABLISHED PURSUANT TO TITLE  
8 45, CHAPTER 2, ARTICLE 2 SHALL RECORD A DOCUMENT THAT CONTAINS A STATEMENT OF  
9 WATER ADEQUACY OR INADEQUACY FOR THAT LOT AS DETERMINED PURSUANT TO SECTION  
10 45-108.

11 B. THE DOCUMENT PRESCRIBED IN SUBSECTION A OF THIS SECTION SHALL BE  
12 RECORDED IN THE OFFICE OF THE COUNTY RECORDER FOR THE COUNTY IN WHICH THE LOT  
13 IS LOCATED AND SHALL BE RECORDED WITH THE PLAT FOR THE SUBDIVISION. THE  
14 DOCUMENT SHALL CONTAIN A LEGAL DESCRIPTION OF THE LAND THAT IS SUBJECT TO THE  
15 SUBDIVISION PLAT AND SHALL STATE WHETHER THE LOT IS SERVED BY A WATER SUPPLY  
16 THAT HAS BEEN DETERMINED TO BE ADEQUATE OR INADEQUATE.

17 C. IF AFTER AN INITIAL RECORDING PURSUANT TO THIS SECTION A WATER  
18 SUPPLY FOR A LOT IS SUBSEQUENTLY DETERMINED TO BE AN ADEQUATE WATER SUPPLY BY  
19 THE DEPARTMENT OF WATER RESOURCES, THE DEPARTMENT OF WATER RESOURCES SHALL  
20 PROVIDE THE OWNER WITH NOTICE OF THE ADEQUACY OF THE WATER SUPPLY IN A  
21 RECORDABLE FORMAT FOR THE LOT. THE OWNER OF THE LOT SHALL RECORD THE NOTICE  
22 OF ADEQUATE WATER SUPPLY IN THE OFFICE OF THE COUNTY RECORDER FOR THE COUNTY  
23 IN WHICH THE LOT IS LOCATED.

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1           D. THE DOCUMENT RECORDED BY THE SUBDIVIDER OR AN OWNER PURSUANT TO  
2 THIS SECTION SHALL COMPLY WITH THE REQUIREMENTS FOR RECORDING DOCUMENTS AS  
3 OTHERWISE PROVIDED BY LAW.

4           E. A SUBDIVIDER THAT IS REQUIRED TO PROVIDE THE RECORDED DISCLOSURE OF  
5 WATER ADEQUACY STATEMENT PRESCRIBED BY SECTION 33-406 IS EXEMPT FROM THIS  
6 SECTION.

7           F. FOR THE PURPOSES OF THIS SECTION, "SUBDIVIDER" HAS THE SAME MEANING  
8 PRESCRIBED IN SECTION 32-2101."

9 Amend title to conform

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2141jb1  
03/04/2008  
2:13 PM  
C: myr